

**Notice of Allowability**

Application No.

10/813,319

Examiner

Gunyoung T. Lee

Applicant(s)

KOTOVSKY ET AL.

Art Unit

2875

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--**

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to applicant's amendments and remarks filed 9/11/2006.
2. ☒ The allowed claim(s) is/are 1-10.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) ☐ All b) ☐ Some\* c) ☐ None of the:
    1. ☐ Certified copies of the priority documents have been received.
    2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
    3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
  5. ☒ CORRECTED DRAWINGS ( as "replacement sheets") must be submitted.
    - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review ( PTO-948) attached
      - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
    - (b) ☒ including changes required by the attached Examiner's Amendment / Comment ~~or in the Office action of~~ Paper No./Mail Date \_\_\_\_\_.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

**Attachment(s)**

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO/SB/08),  
Paper No./Mail Date \_\_\_\_\_
4. ☐ Examiner's Comment Regarding Requirement for Deposit  
of Biological Material
5. ☐ Notice of Informal Patent Application
6. ☐ Interview Summary (PTO-413),  
Paper No./Mail Date \_\_\_\_\_
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other \_\_\_\_\_

## DETAILED ACTION

### *Response to Amendment*

1. Applicant's amendment filed on September 11, 2006 has been entered:
  - Claims 1, 2 and 10 have been amended;
  - Claims 11-21 have been cancelled.

### *Examiner's Amendment*

2. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.
3. Authorization for this examiner's amendment was given in a conversation with Mr. Ansel M. Schwartz (Reg. No. 30,587) on November 6, 2006.

### Claims

4. Claim 1 has been amended as follows:
  - a. Claim 1, line 6, following "shutter", insert --inwardly,--.
  - b. Claim 1, line 6, following "housing", insert --at a first shutter end--.
  - c. Claim 1, line 11, following "light", insert --from the light source when the first shutter is set at the open position by rotating inwardly--.
  - d. Claim 1, line 12, delete "which strikes the reflector material".
5. Claim 2 has been amended as follows:
  - a. Claim 2, line 2, following "shutter", insert --inwardly,--.
  - b. Claim 2, line 2, following "housing", insert --at a second shutter end--.

Art Unit: 2875

- c. Claim 2, line 8, following "light", insert --from the light source when the second shutter is set at the open position by rotating inwardly--.
  - d. Claim 2, line 8, delete "which strikes the reflecting material".
6. Claim 10 has been amended as follows:
- a. Claim 10, line 2, following "moving", insert --inwardly--.
  - b. Claim 10, line 6, following "light", insert --from the light source when the first shutter is set at an open position by rotating inwardly--.
  - c. Claim 10, lines 6-7, delete "which strikes the reflecting material".
  - d. Claim 10, line 8, following "moving", insert --inwardly--.
  - e. Claim 10, line 13, following "light", insert --from the light source when the second shutter is set at an open position by rotating inwardly--.
  - f. Claim 10, line 13, delete "which strikes it".

***Reasons for Allowance***

7. Claims 1-10 are allowed.
8. The following is the examiner's statement of reasons for allowance:
9. Claims 1 and 10 are allowable because the prior art fails to show or teach a lighting apparatus having a housing, a light source and a shutter having an inside face and an outside face, wherein the light source is disposed in the housing, the shutter is rotatably connected at its end to the housing, and the outside face has a reflective material to reflect light from the light source when the shutter is set at an open position by rotating inwardly.

Art Unit: 2875

10. Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

### ***Drawings***

11. The following changes to the drawings have been approved by the examiner and agreed upon by applicant in a conversation with Mr. Ansel M. Schwartz (Reg. No. 30,587) on November 8, 2006. Applicant agreed to resubmit the "replacement" drawings filed on October 4, 2004, because the drawings:

- are not marked as replacements (Figures 1, 10-54);
- should have reference numbers, no text explanations (Figures 2-3, 48-50);
- should not have boxes around reference numbers (Figures 10-20, 30-31); and
- should not have solid black (Figure 11).

In order to avoid abandonment of the application, applicant must make these above agreed upon drawing changes.

### ***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Gunyoung T. Lee whose telephone number is (571) 272-8588. The examiner can normally be reached between 7:30 - 4:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Sandra L. O'Shea can be reached at (571) 272-2378. The fax phone

Art Unit: 2875

number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

GTL  
11/9/2006



RENEE LUEBKE  
PRIMARY EXAMINER